

Christopher A. Robles BK# 180622108
Name and Prisoner/Booking NumberPima County Jail
Place of ConfinementP.O. BOX 951
Mailing AddressTUCSON AZ 85702
City, State, Zip Code

FILED	LODGED
RECEIVED	COPY
AUG 22 2018	
CLERK U.S. DISTRICT COURT DISTRICT OF ARIZONA	
BY	DEPUTY

(Failure to notify the Court of your change of address may result in dismissal of this action.)

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

Christopher Anthony Robles
(Full Name of Plaintiff) Plaintiff,

vs.

(1) (100616) ofc. Lopez Eduardo
(Full Name of Defendant)

(2) (100624) ofc. Acosta Roman

(3) (416879) ofc. Sproute Gabriel Alexander

(4) (53466) T. ...

Defendant(s).

☐ Check if there are additional Defendants and attach page 1-A listing them.

CV-18-0424-TUC-JGZ-PSOT

CASE NO.

(To be supplied by the Clerk)

**CIVIL RIGHTS COMPLAINT
BY A PRISONER**

- ☒ Original Complaint
☐ First Amended Complaint
☐ Second Amended Complaint

A. JURISDICTION

1. This Court has jurisdiction over this action pursuant to:

- ☒ 28 U.S.C. § 1343(a); 42 U.S.C. § 1983
☐ 28 U.S.C. § 1331; Bivens v. Six Unknown Federal Narcotics Agents, 403 U.S. 388 (1971).
☐ Other: _____

2. Institution/city where violation occurred: TUCSON

B. DEFENDANTS

1. Name of first Defendant: (100616) Lopez, Eduardo. The first Defendant is employed as:
police officer at Tucson Police Department
(Position and Title) (Institution)
2. Name of second Defendant: (100617) Ofc. Acosta, Roman. The second Defendant is employed as:
police officer at Tucson Police Department
(Position and Title) (Institution)
3. Name of third Defendant: (46879) Ofc. Spruile, Gabriel Alexander. The third Defendant is employed as:
police officer at Tucson Police Department
(Position and Title) (Institution)
4. Name of fourth Defendant: (53610) Ofc. T... ... The fourth Defendant is employed as:
police officer at Tucson Police Department
(Position and Title) (Institution)

If you name more than four Defendants, answer the questions listed above for each additional Defendant on a separate page.

C. PREVIOUS LAWSUITS

1. Have you filed any other lawsuits while you were a prisoner? ☐ Yes ☒ No
2. If yes, how many lawsuits have you filed? _____. Describe the previous lawsuits:
 - a. First prior lawsuit:
 1. Parties: _____ v. _____
 2. Court and case number: _____
 3. Result: (Was the case dismissed? Was it appealed? Is it still pending?) _____
 - b. Second prior lawsuit:
 1. Parties: _____ v. _____
 2. Court and case number: _____
 3. Result: (Was the case dismissed? Was it appealed? Is it still pending?) _____
 - c. Third prior lawsuit:
 1. Parties: _____ v. _____
 2. Court and case number: _____
 3. Result: (Was the case dismissed? Was it appealed? Is it still pending?) _____

If you filed more than three lawsuits, answer the questions listed above for each additional lawsuit on a separate page.

D. CAUSE OF ACTION**COUNT I**

1. State the constitutional or other federal civil right that was violated: police misconduct by use of excessive force.

2. **Count I.** Identify the issue involved. Check **only one**. State additional issues in separate counts.

- | | | | |
|-------------------------------------------------------------------|-------------------------------------------|-----------------------------------------------|---------------------------------------|
| <input type="checkbox"/> Basic necessities | <input type="checkbox"/> Mail | <input type="checkbox"/> Access to the court | <input type="checkbox"/> Medical care |
| <input type="checkbox"/> Disciplinary proceedings | <input type="checkbox"/> Property | <input type="checkbox"/> Exercise of religion | <input type="checkbox"/> Retaliation |
| <input checked="" type="checkbox"/> Excessive force by an officer | <input type="checkbox"/> Threat to safety | <input type="checkbox"/> Other: _____ | |

3. **Supporting Facts.** State as briefly as possible the FACTS supporting Count I. Describe exactly what each Defendant did or did not do that violated your rights. State the facts clearly in your own words without citing legal authority or arguments.

On the 22 day of June 2018, I Christopher A. Robles (CR 20182768-002/18-10348) was a victim of police misconduct by use of excessive force where 3 or more Tucson police officers brutally beat me. Defendant #1 ofc. (100616) Lopez Admitted saying "I gave him knee strikes to the face as the fist strikes did not appear to have any effect on Chris". During the attack Lopez, saying again "Chris would scream and say he was innocent." But what I really was saying "I cant, I cant you guys are on top of me my arms stuck. Due to the fact my right arm was stuck underneath all the weight of the officers involved. well on the street face down on my stomach already, an left arm detained by officers. Defendant #2 ofc. (100624) Acosta Roman said "I delivered strikes with a close fist to the subjects rib cage. Defendant #3 (46879) Sproule Gabriel Alexander clearly says "Ofc Acosta, Ofc. Lopez and I ofc. Sproule were able to bring the male to the ground without incident. Ofc. Sproule then also stated "I then delivered knee strikes to his left torso area. So with that being said, I was beaten because of my right arm being stuck underneath me due to the fact of all the weight of officers involved."

4. **Injury.** State how you were injured by the actions or inactions of the Defendant(s).

From countless fist and knee blows to the face. I suffer from nerve damage to my left eye, leaving my vision very blurry. Always having high levels of migraines. An a fracture nose which still gives me trouble breathing.

5. **Administrative Remedies:**

- Are there any administrative remedies (grievance procedures or administrative appeals) available at your institution? ☒ Yes ☐ No
- Did you submit a request for administrative relief on Count I? ☒ Yes ☐ No
- Did you appeal your request for relief on Count I to the highest level? ☒ Yes ☐ No
- If you did not submit or appeal a request for administrative relief at any level, briefly explain why you did not. _____

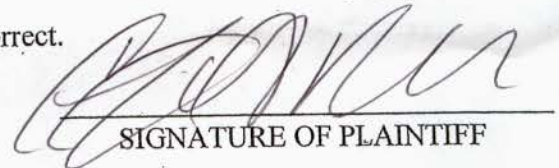
E. REQUEST FOR RELIEF

State the relief you are seeking:

Dismiss all charges and/or release, An loss of wages.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 8.13.18
DATE


SIGNATURE OF PLAINTIFF

my self only
(Name and title of paralegal, legal assistant, or
other person who helped prepare this complaint)

N/A
(Signature of attorney, if any)

(Attorney's address & telephone number)

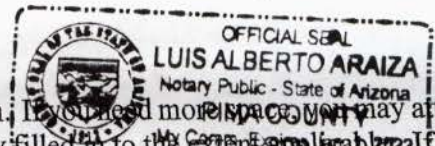
SUBSCRIBED AND SWORN ~~LA~~
BEFORE ME THIS 13TH DAY
OF AUGUST, 2018 BY
CHRISTOPHER ROBLES.


NOTARY PUBLIC

MY COMMISSION EXPIRES 01/01/2022

ADDITIONAL PAGES

All questions must be answered concisely in the proper space on the form. If you need more space, you may attach no more than fifteen additional pages. But the form must be completely filled in to the extent applicable. If you attach additional pages, be sure to identify which section of the complaint is being continued and number all pages.



Phoenix & Prescott Divisions:
U.S. District Court Clerk
U.S. Courthouse, Suite 130
401 West Washington Street, SPC 10
Phoenix, Arizona 85003-2119

OR

Tucson Division:
U.S. District Court Clerk
U.S. Courthouse, Suite 1500
405 West Congress Street
Tucson, Arizona 85701-5010

7. Change of Address. You must immediately notify the Court and the defendants in writing of any change in your mailing address. **Failure to notify the Court of any change in your mailing address may result in the dismissal of your case.**

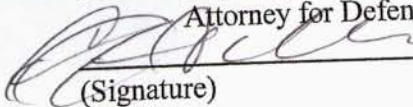
8. Certificate of Service. You must furnish the defendants with a copy of any document you submit to the Court (except the initial complaint and application to proceed *in forma pauperis*). Each original document (except the initial complaint and application to proceed *in forma pauperis*) must include a certificate of service on the last page of the document stating the date a copy of the document was mailed to the defendants and the address to which it was mailed. See Fed. R. Civ. P. 5(a), (d). Any document received by the Court that does not include a certificate of service may be stricken. A certificate of service should be in the following form:

I hereby certify that a copy of the foregoing document was mailed
this August 13, 2018 (month, day, year) to:

Name: DRD Son / Temp

Address: PO Box 951 Tucson AZ, 85702

Attorney for Defendant(s)

 Christopher A. Robles
(Signature)

9. Amended Complaint. If you need to change any of the information in the initial complaint, you must file an amended complaint. The amended complaint must be written on the court-approved civil rights complaint form. You may file one amended complaint without leave (permission) of Court before any defendant has answered your original complaint. See Fed. R. Civ. P. 15(a). After any defendant has filed an answer, you must file a motion for leave to amend and lodge (submit) a proposed amended complaint. LRCiv 15.1. In addition, an amended complaint may not incorporate by reference any part of your prior complaint. LRCiv 15.1(a)(2). **Any allegations or defendants not included in the amended complaint are considered dismissed.** All amended complaints are subject to screening under the Prison Litigation Reform Act; screening your amendment will take additional processing time.

10. Exhibits. You should not submit exhibits with the complaint or amended complaint. Instead, the relevant information should be paraphrased. You should keep the exhibits to use to support or oppose a motion to dismiss, a motion for summary judgment, or at trial.

11. Letters and Motions. It is generally inappropriate to write a letter to any judge or the staff of any judge. The only appropriate way to communicate with the Court is by filing a written pleading or motion.